

SA 1559. Mr. HOLLINGS (for himself and Mr. GREGG) proposed an amendment to the bill H.R. 2500, *supra*.

SA 1560. Mr. HARKIN (for himself, Mr. HATCH, Mr. LEAHY, Mr. REID, Mr. HOLLINGS, Mr. FEINGOLD, Mr. SMITH of Oregon, Mrs. MURRAY, Ms. CANTWELL, Ms. STABENOW, and Mr. LIEBERMAN) proposed an amendment to the bill H.R. 2500, *supra*.

SA 1561. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 1422, to provide for the expedited payment of certain benefits for a public safety officer who was killed or suffered a catastrophic injury as a direct and proximate result of a personal injury sustained in the line of duty in connection with the terrorist attacks of September 11, 2001; which was referred to the Committee on the Judiciary.

SA 1562. Mr. HATCH (for himself, Mrs. FEINSTEIN, Mr. KYL, Mr. DEWINE, Mr. SESSIONS, Mr. THOMPSON, Mr. THURMOND, and Mr. MCCAIN) proposed an amendment to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

SA 1563. Ms. COLLINS proposed an amendment to the bill H.R. 2500, *supra*.

SA 1564. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2500, *supra*; which was ordered to lie on the table.

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SA 1566. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2500, *supra*; which was ordered to lie on the table.

SA 1567. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2500, *supra*; which was ordered to lie on the table.

SA 1568. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2500, *supra*; which was ordered to lie on the table.

SA 1569. Mr. REID (for Mr. KERRY (for himself and Mr. BOND)) proposed an amendment to the bill S. 856, to reauthorize the Small Business Technology Transfer Program, and for other purposes.

#### TEXT OF AMENDMENTS

**SA 1551.** Mr. DEWINE submitted an amendment intended to be proposed by him to the bill H.R. 2500, making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 75, insert between lines 11 and 12 the following:

SEC. \_\_\_\_ (a) Section 203(c) of the Judicial Improvement Act of 1990 (28 U.S.C. 133 note) is amended—

(1) in the first sentence following paragraph (12), by striking “and the eastern district of Pennsylvania” and inserting “, the eastern district of Pennsylvania, and the northern district of Ohio”; and

(2) by inserting after the third sentence following paragraph (12) “The first vacancy in the office of district judge in the northern district of Ohio occurring 15 years or more after the confirmation date of the judge named to fill the temporary judgeship created under this subsection shall not be filled.”.

(b) The amendments made by this section shall take effect on the earlier of—

- (1) the date of enactment of this Act; or
- (2) November 15, 2001.

**SA 1552.** Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 31, line 18, after “program,” insert “of which \$8,800,000 shall be for the Maine State Police Communications Systems for technology enhancements to improve the communications infrastructure of the system.”.

**SA 1553.** Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 54, line 14, insert after “Counsel:” the following: “Provided further, That of the amount provided to the National Marine Fisheries Service for the Fisheries Research and Management Services for Science and Technology, \$400,000 shall be available for activities with respect to Atlantic herring and mackerel.”.

**SA 1554.** Mr. SPECTER submitted an amendment intended to be proposed by him to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate, strike “\$1,000,000 for the Elwyn Project in Pennsylvania to reduce placement in institutions of mentally ill youth.”.

At the appropriate, insert: “\$500,000 for the Elwyn Project in Pennsylvania to reduce placement in institutions of mentally ill youth”; “\$400,000 for the Center for Corrections Education at Indiana University of Pennsylvania to develop and establish a program to train educators within corrections institutions throughout the United States”; and, “\$100,000 to replicate a witness relocation program in Pennsylvania.”.

**SA 1555.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, line 2, strike “\$2,089,990,000” and insert “\$2,090,990,000”.

On page 24, line 16, strike “\$578,125,000” and insert “\$579,125,000”.

On page 24, line 19, strike “\$78,125,000” and insert “\$79,125,000”.

On page 24, line 21, before the semicolon insert “, and of which \$1,000,000 shall be for a grant to the Joint Emergency Services Training Center in Baton Rouge, Louisiana:

*Provided*, That any amount provided in this Act for the Office of Victims of Crime is reduced by \$1,000,000”.

**SA 1556.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, between lines 22 and 23, insert the following:

SEC. 112. (a) ENHANCEMENT OF GRANT PROGRAM TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.—Section 2012 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh-1) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) ADDITIONAL PRIORITY.—In awarding grants under this part, the Attorney General shall also give a priority to States, Indian tribal governments, and units of local government that afford the same priority in responses to emergency calls involving domestic violence as is afforded to responses to emergency calls involving other life threatening circumstances.”.

(b) REPORT ON RESPONSE OF LOCAL LAW ENFORCEMENT TO EMERGENCY CALLS INVOLVING DOMESTIC VIOLENCE.—(1) Not later than March 31, 2002, the Attorney General shall submit to the Committees on the Judiciary of the Senate and House of Representatives a report on the response of local law enforcement agencies to emergencies calls involving domestic violence.

(2) The report shall include the following:

(A) An analysis of the response of local law enforcement agencies throughout the United States to emergency calls involving domestic violence.

(B) A description of the manner in which local law enforcement agencies and their dispatch units (including 911 dispatch units) coordinate, establish priorities for, and respond to emergency calls involving domestic violence.

**SA 1557.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 91, between lines 2 and 3, insert the following:

SEC. 409. Notwithstanding any other provision of law, all fees collected by the Department of State in the performance of services in connection with the processing of international adoptions, including fees collected under the Intercountry Adoption Act of 2000 (42 U.S.C. 14901 et seq.), shall be deposited as offsetting receipts into a separate account in the Treasury of the United States and shall remain available, without fiscal year limitation, to the Secretary of State only for the improvement and strengthening of services performed by the Department in connection with the processing of international adoptions.

**SA 1558.** Mr. HOLLINGS (for himself and Mr. GREGG) proposed an amendment to the bill H.R. 2500, making appropriations for the Department of

Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 34, line 5, before the “:”, insert the following: “, of which \$300,000 shall be available only for the ‘From Darkness to Light’ program in Charleston, South Carolina”.

On page 54, line 22, after “:” insert “*Provided further*, That \$1,500,000 shall be available only for the planning and design of research facilities which shall be located in Lafayette, Louisiana.”.

On page 31, line 18, after “program”, insert the following: “, of which \$1,900,000 shall be available only for the New Jersey State Police Law Enforcement Training Center”.

On page 52, line 24, before the “:”, insert the following: “, of which \$300,000 shall be available only for a variable and Eurasian milfoil education and prevention program in New Hampshire and \$300,000 shall be available only for the Connecticut River Partnership”.

On page 20, line 14, after the “:”, insert the following: “*Provided further*, That, of the amount made available under this heading, \$9,962,000 shall be available for partial site and planning for the U.S.P. Northeast/Northern Mid-Atlantic facility to be located in Berlin, New Hampshire.”.

On page 31, line 18, after “program”, insert the following: “, of which \$1,500,000 shall be available only for in-car cameras for Arkansas State Police cruisers”.

On page 32, line 10, after the first “:”, insert the following: “of which \$3,000,000 shall be for a grant to the Law Enforcement Innovation Center at the University of Tennessee.”.

On page 32, line 5, after the “:”, insert the following: “of which \$3,800,000 will be for a grant to the Jersey City Police Department’s Crime Identification System to upgrade communications systems.”.

On page 30, line 24, after the third “:”, insert the following: “including \$1,500,000 for a computer forensic lab in Ohio.”.

On page 23, line 25, insert “That” the following: “from such funds \$15,000,000 shall be used to carry out the Kids 2000 Act (Public Law 106-313; 114 Stat. 1260): *Provided further*, That”.

On page 30, line 24, insert after “laboratories,” the following: “of which \$600,000 shall be available to the Mecklenburg County, North Carolina Sheriff’s Office for a Sex Offender Registration Unit.”.

On page 41, after line 22, insert the following:

SEC. 112. Section 6 of the Hmong Veterans’ Naturalization Act of 2000 (Public Law 106-207; 8 U.S.C. 1423 note) (as amended by Public Law 106-415) is amended by striking “18 months” each place such term appears and inserting “36 months”.

Insert at the appropriate place the following:

**SEC. . SENSE OF THE SENATE REGARDING THE REPUBLIC OF KOREA’S IMPROPER BAILOUT OF HYNIX SEMICONDUCTOR.**

(a) FINDINGS.—Congress finds that—

(1) the Government of the Republic of Korea over many years has supplied aid to the Korean semiconductor industry enabling that industry to be the Republic of Korea’s leading exporter;

(2) this assistance has occurred through a coordinated series of government programs and policies, consisting of preferential access to credit, low-interest loans, government grants, preferential tax programs, government inducement of private loans, tariff reductions, and other measures;

(3) in December 1997, the United States, the International Monetary Fund (IMF), other

foreign government entities, and a group of international financial institutions assembled an unprecedented \$58,000,000,000 financial package to prevent the Korean economy from declaring bankruptcy;

(4) as part of that rescue package, the Republic of Korea agreed to put an end to corporate cronyism, and to overhaul the banking and financial sectors;

(5) Korea also pledged to permit and require banks to run on market principles, to allow and enable bankruptcies and workouts to occur rather than bailouts, and to end subsidies;

(6) the Republic of Korea agreed to all of these provisions in the Stand-by Arrangement with the IMF dated December 3, 1997;

(7) section 602 of the Foreign Operations, Export Financing, and Related Agencies Appropriations Act, 1999, as enacted by section 101(d) of Division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act (Public Law 105-277; 112 Stat. 2681-220) specified that the United States would not authorize further IMF payments to Korea unless the Secretary of the Treasury certified that the provisions of the IMF Standby Arrangement were adhered to;

(8) the Secretary of the Treasury certified to Congress on December 11, 1998, April 5, 1999, and July 2, 1999 that the Stand-by Arrangement was being adhered to, and assured Congress that consultations had been held with the Government of the Republic of Korea in connection with the certifications;

(9) the Republic of Korea has acceded to the World Trade Organization, and to the Agreement on Subsidies and Countervailing Measures (as defined in section 101(d)(12) of the Uruguay Round Agreements Act);

(10) the Agreement on Subsidies and Countervailing Measures specifically prohibits export subsidies, and makes a actionable other subsidies bestowed upon a specific enterprise that causes adverse effects;

(11) Hynix Semiconductor is a major exporter of semiconductor products from the Republic of Korea to the United States; and

(12) the Republic of Korea has now engaged in a massive \$5,000,000,000 bailout of Hynix Semiconductor which contravenes the commitments the Government of the Republic of Korea made to the IMF, the World Trade Organization and in other agreements, and the understandings and certifications made to Congress under the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999;

(b) SENSE OF THE SENATE.—It is the sense of the Senate that

(1) The Secretary of the Treasury, the Secretary of Commerce, and the United States Trade Representative should forthwith request consultations with the Republic of Korea under Article 4 and Article 7 of the Agreement on Subsidies and Countervailing Measures of the World Trade Organization, and take immediately such other actions as are necessary to assure that the improper bailout by the Republic of Korea is stopped, and its effects fully offset or reversed;

(2) the relationship between the United States and Republic of Korea has been and will continue to be harmed significantly by the bailout of a major exporter of products from Korea to the United States;

(3) the Republic of Korea should end immediately the bailout of Hynix Semiconductor;

(4) the Republic of Korea should comply immediately with its commitments to the IMF, with its trade agreements, and with the assurances it made to the Secretary of the Treasury; and

(5) the United States Trade Representative and the Secretary of Commerce should monitor and report to Congress on steps that have been taken to end this bailout and reverse its effects.

On page 22, line 16, after the “:”, insert the following: “, of which not to exceed \$2,000,000 shall be available for administering a program to award Federal matching grants to States and localities to improve election systems and election administration and for making such grants: *Provided*, That no funds for the purpose of administering such program of for making such grants shall be made available until the date of enactment of a statute authorizing the expenditure of funds for such a purpose.”.

On page 67, after line 15, insert the following:

SEC. 210. (a) Notwithstanding section 102 of the Marine Mammal Protection Act of 1972, as amended, or section 9 of the Endangered Species Act of 1973, the Anchorage Sister Cities Commission of Anchorage, Alaska, may export, on a one-time basis, to the Town of Whitby, in the care of the Scarborough Borough Council, Whitby, North Yorkshire, United Kingdom, two bowhead whale jawbones taken as part of a legal subsistence hunt by Native Alaskans and identified in U.S. Fish and Wildlife Service, Convention on International Trade of Endangered Species permit 01US037393/9.

(b) The Anchorage Sister Cities Commission shall notify the National Marine Fisheries Service Office of Enforcement 15 days prior to shipment to ensure compliance with all applicable export requirements.

On page 40, line 3, strike “\$3” and insert “\$1.50”.

On page 109, line 25, strike “\$7” and insert “\$6.50”.

On page 7, line 9, after “That” insert the following: “\$800,000 shall be available only for grants to develop and conduct programs to train State and local law enforcement and prosecutors in the investigation and prosecution of child pornography and child exploitation crimes: *Provided further*, That”.

On page 22, line 21, strike “\$364,000,000, to remain available until expended.”, and insert “\$375,800,000, to remain available until expended, of which \$9,800,000 is for an aircraft for counterterrorism and other required activities for the City of New York.”.

On page 32, line 10, after the first “:”, insert the following: “of which \$2,000,000 shall be available only for law enforcement technology upgrades for Berlin, New Hampshire.”.

On page 32, line 20, before the “:”, insert the following: “, of which \$1,300,000 shall be for a grant to the California Department of Justice for a methamphetamine initiative.”.

On page 23, line 2, strike “\$2,089,990,000” and insert “\$2,094,990,000”.

On page 24, line 16, strike “\$578,125,000” and insert “\$583,125,000”.

On page 24, line 19, strike “\$78,125,000” and insert “\$83,125,000”.

On page 24, line 21 before the “:”, insert the following: “, of which \$10,000,000 is for the Mental Health Courts Grants Initiative”.

On page 32, line 17, strike “\$48,393,000”, and insert “\$49,493,000”.

On page 32, line 20, before the “:”, insert the following: “, of which \$1,100,000 shall be for a methamphetamine initiative in the State of Missouri.”.

On page 33, line 22, strike “\$320,026,000” and insert “\$324,926,000”.

On page 34, line 3, strike “\$55,691,000” and insert “\$60,591,000”.

On page 34, line 5 before the “:”, insert the following: “, of which \$5,000,000 is to fund the Strengthening Abuse and Neglect Courts Act”.

On page 34, line 5, before the “:”, insert the following: “, of which not to exceed \$5,000,000 shall be available for grants for local juvenile justice programs for mental health screening and treatment for juvenile offenders during incarceration that are inconsistent with guidelines issued by the Attorney General”.

On page 30, line 10, strike "\$1,019,874,000" and insert "\$1,024,659,000".

On page 31, line 3, strike "\$510,524,000" and insert "\$514,209,000".

On page 31, line 7, strike "\$31,315,000" and insert "\$35,000,000".

On page 76, line 6, strike "\$3,088,990,000" and insert "\$3,063,305,000".

On page 53, line 12, after the colon, insert the following: "Provided further, That such sums as are necessary shall be available to the National Marine Fisheries Service, in collaboration with the United States Fish and Wildlife Service, to conduct a review of the agencies' joint regulations governing consultations on Federal agency actions under subsection (a)(2) of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536), so as to streamline the consultation process to ensure that consultations are completed within the deadlines provided in that section and have streamlined documentation requirements consistent with that section, and to make any necessary modifications to those regulations not later than April 1, 2003.".

On page 115, after line 25, insert the following: "SEC. 623. Notwithstanding any other provision of law, no amount made available under this Act may be used to sell any disaster loan authorized by section 7(b) of the Small Business Act (15 U.S.C. 636(b)) to any private company or other entity.".

On page 102, line 3, after "as amended", strike the period and insert "; Provided further, That \$13,700,000 shall be available in fiscal year 2002 to fund grants authorized by section 29 of the Small Business Act."

At the appropriate place, insert the following:

SEC. . No funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes. The preceding sentence does not preclude the renting, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.

On page 34, line 5 before the ":", insert the following: "of which \$500,000 is for the Boy Scouts 'Learning for Life' program".

On page 52, line 23, strike "\$2,267,705,000" and insert "\$2,268,305,000".

On page 57, line 25, strike "\$939,610,000" and insert "\$941,110,000".

On page 89, line 23, strike "S.787" and insert "S.1084".

On page 89, line 24, strike "April 26" and insert "June 21".

On page 57, line 8, strike "\$133,940,000" and insert "\$137,940,000".

On page 16, line 22, after the semicolon insert "of which \$5,500,000 shall be for the Violence Against Women Act Unit of the Eastern Adjudication Service Center to provide for the processing of immigration self-petitions and U visas under the Violence Against Women Act (Public Law 103-322, reauthorized in Public Law 106-326) and T visas under the Victims of Trafficking and Violence Protection Act (Public Law 106-326), out of which \$500,000 shall be for the Eastern Adjudication Service Center to provide for the production and distribution of training materials to State Department, Justice Department, and other Government officials concerning the immigration provisions of the Violence Against Women Act;".

On page 52, line 23, strike "\$2,268,305,000 to remain available until expended" and insert "\$2,273,305,000, to remain available until expended, of which \$2,000,000 shall be for West Coast Groundfish Cooperative Research and \$3,000,000 shall be for Oregon Groundfish Disaster Assistance".

On page 31, line 18 after the ":", insert the following: "of which \$1,000,000 is to the Na-

tional Sheriff's Association to conduct a multi-state information sharing demonstration project."

On page 58, on line 18, before the colon, insert: "of which \$2,500,000 is for coastal land acquisition at Rocky Point in Warwick, Rhode Island".

On page 34, line 5, before the colon, insert the following: "of which \$500,000 for the Elwyn Project in Pennsylvania to reduce placement in institutions of mentally ill youth; \$400,000 for the Center for Corrections Education at Indiana University of Pennsylvania to develop and establish a program to train educators within corrections institutions throughout the United States; and, \$100,000 to replicate a witness relocation program in Pennsylvania".

On page 57, line 25 strike "\$939,610,000" and insert "\$939,110,000".

On page 44, line 5 strike "\$66,820,000" and insert "\$67,320,000's".

On page 115, after line 15, insert the following:

SEC. 623. Section 2002 of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386; 114 Stat. 1542) is amended—

(1) in subsection (a)(2)(A)—  
(A) by striking "or" at the end of clause (i);

(B) in clause (ii)—  
(i) by striking "February 17, 1999," and inserting "May 17, 1996, May 7, 1997, February 17, 1999, December 15, 1999,";

(ii) by inserting "October 22, 1999," after "February 17, 1999,"; and

(iii) by striking the semicolon at the end and inserting "; or"; and

(C) by adding at the end the following new clause:

"(iii) a member of the plaintiff class in Case Number 1:00CV03110(ESG) in the United States District Court for the District of Columbia;" and

(2) in subsection (b)(2)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(B) by inserting "(A)" before "For purposes" and

(C) by adding at the end the following:

"(B) For any judgment rendered in Case Number 1:00CV03110(ESG) in the United States District Court for the District of Columbia, in addition to the amounts available under subsection (a), the Secretary of the Treasury shall make such further payment as necessary to satisfy the judgment by—

"(i) liquidating those assets without third party interest of those countries designated as state sponsors of terrorism, under section 40(d) of the Arms Control Act or section 6(i) of the Export Administration Act of 1979, held or blocked by the United States; and

"(ii) in the event the judgment remains not fully satisfied after such liquidation, using any other available means collect from Iran, with one-third of any amount collected by these other means to be remitted to the Treasury of the United States."

On page 10, line 18, strike "\$724,682,000" and insert "\$699,682,000".

On page 30, line 10, strike "\$1,019,874,000" and insert "\$1,044,874,000".

On page 30, line 11, strike "\$150,962,000" and insert "\$175,962,000".

On page 30, line 24, insert after the third ":", the following: "of which \$25,000,000 shall be available for Paul Coverdell Forensic Sciences Improvement Grants under part BB of the Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797j et seq.)."

**SA 1559.** Mr. HOLLINGS (for himself and Mr. GREGG) proposed an amendment to the bill H.R. 2500, making ap-

propriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purpose; as follows:

On page 12, line 10, strike "as in effect on June 1, 2000;".

On page 17, line 20, after the colon insert the following: "Provided further, That, of the amount appropriated under this heading, \$67,000,000 shall be transferred to the Immigration Services and Infrastructure Improvements Account under section 204 of the Immigration Services and Infrastructure Improvements Act of 2000 (8 U.S.C. 1573), to be used for the same purposes for which funds in such account may be used and to remain available until expended;".

On page 24, strike lines 19, 20, and 21, and insert "\$79,625,000 shall be for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, including \$1,500,000 for the Standing Against Global Exploitation (SAGE) Project, Inc.".

On page 76, line 6, strike "\$3,063,305,000" and insert "\$3,061,805,000".

On page 25, after line 21 insert the following:

(d) \$200,000 for the Attorney General to conduct a study and prepare a report to be submitted to the Subcommittee on Commerce, Justice and State Appropriations of the Senate and House of Representatives Appropriation Committee on the response of local law enforcement agencies to emergency calls involving domestic violence.

On page 115, after line 25, add the following:

SEC. 623. Clause (ii) of section 621(5)(A) of the Communications Satellite Act of 1962 (47 U.S.C. 763(5)(A)) is amended by striking "on or about October 1, 2000," and all that follows through the end and inserting "not later than December 31, 2001, except that the Commission may extend this deadline to not later than June 30, 2003."

**SA 1560.** Mr. HARKIN (for himself, Mr. HATCH, Mr. LEAHY, Mr. REID, Mr. HOLLINGS, Mr. FEINGOLD, Mr. SMITH of Oregon, Mrs. MURRAY, Ms. CANTWELL, Ms. STABENOW, and Mr. LIEBERMAN) proposed an amendment to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. (a) The Senate finds that—

(1) all Americans are united in condemning, in the strongest possible terms, the terrorists who planned and carried out the September 11, 2001 attacks against the United States as well as their sponsors, and in pursuing all of those responsible until they are brought to justice and punished;

(2) the Arab American and American Muslim communities, are a vital part of our nation;

(3) the prayer of Cardinal Theodore McCarrick, the Archbishop of Washington in a Mass on September 12, 2001 for our Nation and the victims in the immediate aftermath of the terrorist hijackings and attacks in New York City, Washington, D.C., and Pennsylvania reminds all Americans that "we must seek the guilty and not strike out against the innocent or we become like them who are without moral guidance or direction;"

(4) the heads of state of several Arab and predominantly Moslem countries have condemned the terrorist attacks in the U.S. and the senseless loss of innocent lives; and

(5) vengeful threats and incidents directed at law-abiding, patriotic Americans of Arab descent and Islamic faith have already occurred such as shots fired at an Islamic Center and police having to turn back 300 people who tried to march on a mosque.

(b) The Senate—

(1) declares that in the quest to identify, bring to justice, and punish the perpetrators and sponsors of the terrorist attacks on the United States on September 11, 2001, that the civil rights and civil liberties of all Americans, including Arab-Americans and American Muslims, should be protected; and

(2) condemns any acts of violence or discrimination against any Americans, including Arab-Americans and American Muslims.

**SA 1561.** Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 1422, to provide for the expedited payment of certain benefits for public safety officer who was killed or suffered a catastrophic injury as a direct and proximate result of a personal injury sustained in the line of duty in connection with the terrorist attacks of September 11, 2001; which was referred to the Committee on the Judiciary; as follows:

On page 2, at line 8, delete “shall pay to qualified beneficiaries, not later than 30 days” and insert “Shall authorize payment to qualified beneficiaries, said payment to be made not later than 30 days”.

**SA 1562.** Mr. HATCH (for himself, Mrs. FEINSTEIN, Mr. KYL, Mr. DEWINE, Mr. SESSIONS, Mr. THOMPSON, Mr. THURMOND, and Mr. MCCAIN) proposed an amendment to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 116, between lines 9 and 10, insert the following:

#### **TITLE VIII—TERRORISM**

##### **SEC. 801. SHORT TITLE.**

This title may be cited as the “Combating Terrorism Act of 2001”.

##### **SEC. 812. ASSESSMENT OF NATIONAL GUARD CAPABILITIES TO PREEMPTIVELY DISRUPT DOMESTIC TERRORIST ATTACKS INVOLVING WEAPONS OF MASS DESTRUCTION.**

(a) **REPORT.**—Not later than 60 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing an assessment of the capabilities of the National Guard to preemptively disrupt a terrorist attack within the United States involving weapons of mass destruction, and to respond to such an attack.

(b) **ELEMENTS.**—The report required under subsection (a) shall include—

(1) an assessment of the legal restrictions on the use of the National Guard to contain and capture weapons of mass destruction materials that are discovered by law enforcement agencies within the United States;

(2) an assessment of the physical readiness of the National Guard to carry out a mission to contain and capture such materials;

(3) a description of the modifications in the structure of the National Guard, and in law enforcement intelligence dissemination ca-

pabilities, that are necessary to effect a credible, preemptive strike capability for the National Guard against a terrorist attack within the United States involving a weapon of mass destruction; and

(4) an identification of the Federal agency best suited to carry out a preemptive strike against organizations possessing weapons of mass destruction materials in the United States.

##### **SEC. 813. LONG-TERM RESEARCH AND DEVELOPMENT TO ADDRESS CATASTROPHIC TERRORIST ATTACKS.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) there has not been sufficient emphasis on long-term research and development with respect to technologies useful in fighting terrorism; and

(2) the United States should make better use of its considerable accomplishments in science and technology to prevent or address terrorist attacks in the future, particularly attacks involving chemical, biological, or nuclear agents.

(b) **ESTABLISHMENT OF PROGRAM.**—(1) Not later than six months after the date of the enactment of this Act, the President shall establish a comprehensive program of long-term research and development with respect to science and technology necessary to prevent, preempt, detect, interdict, and respond to catastrophic terrorist attacks.

(2) In establishing the program, the President shall—

(A) establish a comprehensive set of requirements for the program; and

(B) either—

(i) establish in an appropriate Federal agency an element with responsibility for the program; or

(ii) assign to a current element of a Federal agency responsibility for the program.

(c) **REPORT ON PROPOSED PROGRAM.**—Not later than 60 days before the commencement of the program required by subsection (b), the President shall submit to Congress a report on the proposed program. The report shall set forth the element of the Federal Government proposed to be established or assigned responsibility under subsection (b)(2)(B), including the proposed organization and responsibilities of the element for purposes of the program.

(d) **CATASTROPHIC TERRORIST ATTACK DEFINED.**—In this section, the term “catastrophic terrorist attack” means a terrorist attack against the United States perpetrated by a state, substate, or nonstate actor that involves mass casualties or the use of a weapon of mass destruction.

##### **SEC. 814. REVIEW OF AUTHORITY OF FEDERAL AGENCIES TO ADDRESS CATASTROPHIC TERRORIST ATTACKS.**

(a) **REVIEW REQUIRED.**—The Attorney General shall conduct a review of the legal authority of the agencies of the Federal Government, including the Department of Defense, to respond to, and to prevent, preempt, detect, and interdict, catastrophic terrorist attacks.

(b) **REPORT.**—Not later than six months after the date of the enactment of this Act, the Attorney General shall submit to Congress a report on the review conducted under subsection (a). The report shall include any recommendations that the Attorney General considers appropriate, including recommendations as to whether additional legal authority for any particular Federal agency is advisable in order to enhance the capability of the Federal Government to respond to, and to prevent, preempt, detect, and interdict, catastrophic terrorist attacks.

(c) **CATASTROPHIC TERRORIST ATTACK DEFINED.**—In this section, the term “catastrophic terrorist attack” means a terrorist attack against the United States perpetrated

by a state, substate, or nonstate actor that involves mass casualties or the use of a weapon of mass destruction.

##### **SEC. 815. GUIDELINES ON RECRUITMENT OF TERRORIST INFORMANTS.**

The Director of Central Intelligence shall rescind the provisions of the 1995 Central Intelligence Agency guidelines on recruitment of terrorist informants that relate to the recruitment of persons who have access to intelligence related terrorist plans, intentions and capabilities.

##### **SEC. 816. DISCLOSURE BY LAW ENFORCEMENT AGENCIES OF CERTAIN INTELLIGENCE OBTAINED BY INTERCEPTION OF COMMUNICATIONS.**

(a) **REPORT ON AUTHORITIES RELATING TO SHARING OF CRIMINAL WIRETAP INFORMATION.**—Not later than 60 days after the date of the enactment of this Act, the President shall submit to Congress a report on the legal authorities that govern the sharing of criminal wiretap information under applicable Federal laws, including section 104 of the National Security Act of 1947 (50 U.S.C. 403-4).

(b) **ELEMENTS.**—The report under subsection (a) shall include—

(1) a description of the type of information that can be shared by the Department of Justice, or other law enforcement agencies, with other elements of the intelligence community; and

(2) any recommendations that the President considers appropriate, including a proposal for legislation to implement such recommendations, to improve the capability of the Department of Justice, or other law enforcement agencies, to share foreign intelligence information or counterintelligence information with other elements of the intelligence community on matters such as counterterrorism.

(c) **DEFINITIONS.**—In this section:

(1) **FOREIGN INTELLIGENCE, COUNTERINTELLIGENCE.**—The terms “foreign intelligence” and “counterintelligence” have the meanings given those terms in section 3 of the National Security Act of 1947 (50 U.S.C. 401a).

(2) **ELEMENT OF THE INTELLIGENCE COMMUNITY.**—The term “element of the intelligence community” means any element of the intelligence community specified or designated under section 3(4) of the National Security Act of 1947.

##### **SEC. 817. JOINT TASK FORCE ON TERRORIST FUNDRAISING.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) many terrorist groups secretly solicit and exploit the resources of international nongovernmental organizations, companies, and wealthy individuals; and

(2) the Federal Government is not fully utilizing all the tools available to it to prevent, deter, or disrupt the fundraising activities of international terrorist organizations, and it should do so.

##### **SEC. 818. IMPROVEMENT OF CONTROLS ON PATHOGENS AND EQUIPMENT FOR PRODUCTION OF BIOLOGICAL WEAPONS.**

(a) **REPORT ON IMPROVEMENT OF CONTROLS.**—(1) Not later than 60 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report on the means of improving United States controls of biological pathogens and the equipment necessary to develop, produce, or deliver biological weapons.

(2) The Attorney General shall prepare the report under paragraph (1) in consultation with the Secretary of Defense, the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Health and Human Services, the Secretary of Agriculture, the Director of Central Intelligence, the Commissioner of Customs, and other appropriate Federal officials.

(3) The report under paragraph (1) shall include—

(A) a list of the equipment identified under that paragraph as critical to the development, production, or delivery of biological weapons;

(B) recommendations, if any, for legislation to make illegal the possession of the equipment identified under subparagraph (A), for other than a legitimate purpose, including attempts and conspiracies to do the same;

(C) recommendations, if any, for legislation to control the domestic sale and transfer of the equipment identified under subparagraph (A); and

(D) recommendations, if any, for legislation to require the tagging or other means of marking of the equipment identified under subparagraph (A).

(b) **IMPROVED SECURITY OF FACILITIES.**—(1) Commencing not later than 60 days after the date of the enactment of this Act, the President shall undertake appropriate actions to enhance the standards for the physical protection and security of the biological pathogens described in subsection (a) at the research laboratories and other government and private facilities in the United States that create, possess, handle, store, or transport such pathogens in order to protect against the theft or other wrongful diversion of such pathogens.

(2) Not later than six months after the date of the enactment of this Act, the President shall submit to Congress a report on the actions undertaken under paragraph (1).

**SEC. 819. REIMBURSEMENT OF PERSONNEL PERFORMING COUNTERTERRORISM DUTIES FOR PROFESSIONAL LIABILITY INSURANCE.**

(a) **REQUIREMENT FOR FULL REIMBURSEMENT.**—(1) Notwithstanding any other provision of law and subject to paragraph (2), the head of an agency employing a qualified employee shall reimburse the qualified employee for the costs incurred by the employee for professional liability insurance.

(2) Reimbursement of a qualified employee under paragraph (1) shall be contingent on the submission by the qualified employee to the head of the agency concerned of such information or documentation as the head of the agency concerned shall require.

(3) Amounts for reimbursements under paragraph (1) shall be derived from amounts available to the agency concerned for salaries and expenses.

(b) **QUALIFIED EMPLOYEE.**—In this section, the term “qualified employee” means an employee of an agency whose position is that of—

(1) a law enforcement officer performing official counterterrorism duties; or

(2) an official of an element of the intelligence community performing official counterterrorism duties outside the United States.

(c) **DEFINITIONS.**—In this section:

(1) **AGENCY.**—The term “agency” means any Executive agency, as that term is defined in section 105 of title 5, United States Code, and includes any agency of the legislative branch of Government.

(2) **ELEMENT OF THE INTELLIGENCE COMMUNITY.**—The term “element of the intelligence community” means any element of the intelligence community specified or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(3) **LAW ENFORCEMENT OFFICER; PROFESSIONAL LIABILITY INSURANCE.**—The terms “law enforcement officer” and “professional liability insurance” have the meanings given those terms in section 636(c) of the Treasury, Postal Service, and General Government Appropriations Act, 1997 (5 U.S.C. prec. 5941 note).

**Subtitle B—Criminal Matters**

**SEC. 831. LAUNDERING OF PROCEEDS OF TERRORISM.**

Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting “or 2339B” after “2339A”.

**SEC. 832. MODIFICATION OF AUTHORITIES RELATING TO USE OF PEN REGISTERS AND TRAP AND TRACE DEVICES.**

(a) **GENERAL LIMITATION ON USE BY GOVERNMENTAL AGENCIES.**—Section 3121(c) of title 18, United States Code, is amended—

(1) by inserting “or trap and trace device” after “pen register”;

(2) by inserting “, routing, addressing,” after “dialing”; and

(3) by striking “call processing” and inserting “the processing and transmitting of wire and electronic communications”.

(b) **ISSUANCE OF ORDERS.**—

(1) **IN GENERAL.**—Subsection (a) of section 3123 of that title is amended to read as follows:

“(a) **IN GENERAL.**—(1) Upon an application made under section 3122(a)(1) of this title, the court shall enter an ex parte order authorizing the installation and use of a pen register or trap and trace device if the court finds that the attorney for the Government has certified to the court that the information likely to be obtained by such installation and use is relevant to an ongoing criminal investigation. The order shall, upon service of the order, apply to any entity providing wire or electronic communication service in the United States whose assistance is required to effectuate the order.

“(2) Upon an application made under section 3122(a)(2) of this title, the court shall enter an ex parte order authorizing the installation and use of a pen register or trap and trace device within the jurisdiction of the court if the court finds that the State investigative or law enforcement officer has certified to the court that the information likely to be obtained by such installation and use is relevant to an ongoing criminal investigation.”.

(2) **CONTENTS OF ORDER.**—Subsection (b)(1) of that section is amended—

(A) in subparagraph (A)—

(i) by inserting “or other facility” after “telephone line”; and

(ii) by inserting before the semicolon at the end “or applied”; and

(B) by striking subparagraph (C) and inserting the following new subparagraph (C):

“(C) a description of the communications to which the order applies, including the number or other identifier and, if known, the location of the telephone line or other facility to which the pen register or trap and trace device is to be attached or applied, and, in the case of an order authorizing installation and use of a trap and trace device under subsection (a)(2), the geographic limits of the order; and”.

(3) **NONDISCLOSURE REQUIREMENTS.**—Subsection (d)(2) of that section is amended—

(A) by inserting “or other facility” after “the line”; and

(B) by striking “, or who has been ordered by the court” and inserting “or applied, or who is obligated by the order”.

(c) **EMERGENCY INSTALLATION.**—

(1) **AUTHORITY FOR UNITED STATES ATTORNEYS.**—Section 3125(a) of that title is amended in the matter preceding paragraph (1)—

(A) by striking “or any Deputy Assistant Attorney General,” and inserting “any Deputy Assistant Attorney General, or any United States Attorney,”.

(2) **EXPANSION OF EMERGENCY CIRCUMSTANCES.**—Section 3125(a)(1) of that title is amended—

(A) in subparagraph (A), by striking “or” at the end;

(B) in subparagraph (B), by striking the comma at the end and inserting a semicolon; and

(C) by inserting after subparagraph (B) the following new subparagraphs:

“(C) immediate threat to the national security interests of the United States;

“(D) immediate threat to public health or safety; or

“(E) an attack on the integrity or availability of a protected computer which attack would be an offense punishable under section 1030(c)(2)(C) of this title.”.

(d) **DEFINITIONS.**—

(1) **COURT OF COMPETENT JURISDICTION.**—Paragraph (2) of section 3127 of that title is amended by striking subparagraph (A) and inserting the following new subparagraph (A):

“(A) any district court of the United States (including a magistrate judge of such a court) or any United States Court of Appeals having jurisdiction over the offense being investigated; or”.

(2) **PEN REGISTER.**—Paragraph (3) of that section is amended—

(A) by striking “electronic or other impulses” and all that follows through “is attached” and inserting “dialing, routing, addressing, or signalling information transmitted by an instrument or facility from which a wire or electronic communication is transmitted”; and

(B) by inserting “or process” after “device” each place it appears.

(3) **TRAP AND TRACE DEVICE.**—Paragraph (4) of that section is amended—

(A) by inserting “or process” after “a device”; and

(B) by striking “of an instrument” and all that follows through the end and inserting “or other dialing, routing, addressing, and signalling information relevant to identifying the source of a wire or electronic communication;”.

**SEC. 833. AUTHORITY TO INTERCEPT WIRE, ORAL, AND ELECTRONIC COMMUNICATIONS RELATING TO TERRORISM OFFENSES.**

Section 2516(1) of title 18, United States Code, is amended—

(1) by redesignating paragraph (p), as so redesignated by section 434(2) of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132; 110 Stat. 1274), as paragraph (r); and

(2) by inserting after paragraph (p) as so redesignated by section 201(3) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 110 Stat. 3009-565), the following new paragraph:

“(q) any criminal violation of sections 2332, 2332a, 2332b, 2332d, 2339A, or 2339B of this title (relating to terrorism); or”.

**SEC. 834. AUTHORITY TO INTERCEPT WIRE, ORAL, AND ELECTRONIC COMMUNICATIONS RELATING TO COMPUTER FRAUD AND ABUSE.**

Section 2516(1)(c) of title 18, United States Code, is amended by striking “and section 1341 (relating to mail fraud),” and inserting “section 1341 (relating to mail fraud), a felony violation of section 1030 (relating to computer fraud and abuse),”.

**SA 1563.** Ms. COLLINS proposed an amendment to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 34, line 5, after “Act” insert “, of which \$250,000 shall be for a grant to the Rapid Response Program in Washington and Hancock Counties, Maine”.

**SA 1564.** Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SECTION 1. AUTHORITY TO INTERCEPT WIRE, ORAL, AND ELECTRONIC COMMUNICATIONS RELATING TO TERRORISM OFFENSES.**

Section 2516(1) of title 18, United States Code, is amended—

(1) by redesignating paragraph (p), as so redesignated by section 434(2) of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132; 110 Stat. 1274), as paragraph (r); and

(2) by inserting after paragraph (p) as so redesignated by section 201(3) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 110 Stat. 3009-565), the following new paragraph:

“(q) any criminal violation of sections 2332, 2332a, 2332b, 2332d, 2339A, or 2339B of this title (relating to terrorism); or”.

**SA 1565.** Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . MODIFICATION OF AUTHORITIES RELATING TO USE OF PEN REGISTERS AND TRAP AND TRACE DEVICES.**

(a) **GENERAL LIMITATION ON USE BY GOVERNMENTAL AGENCIES.**—Section 3121(c) of title 18, United States Code, is amended—

(1) by inserting “or trap and trace device” after “pen register”; and

(2) by inserting “, routing, addressing,” after “dialing”; and

(3) by striking “call processing” and inserting “the processing and transmitting of wire and electronic communications”.

(b) **ISSUANCE OF ORDERS.**—

(1) **IN GENERAL.**—Subsection (a) of section 3123 of that title is amended to read as follows:

“(a) **IN GENERAL.**—(1) Upon an application made under section 3122(a)(1) of this title, the court shall enter an ex parte order authorizing the installation and use of a pen register or trap and trace device if the court finds that the attorney for the Government has certified to the court that the information likely to be obtained by such installation and use is relevant to an ongoing criminal investigation. The order shall, upon service of the order, apply to any entity providing wire or electronic communication service in the United States whose assistance is required by effectuate the order.

“(2) Upon an application made under section 3122(a)(2) of this title, the court shall enter an ex parte order authorizing the installation and use of a pen register or trap and trace device within the jurisdiction of the court if the court finds that the State law enforcement or investigative officer has certified to the court that the information likely to be obtained by such installation and use is relevant to an ongoing criminal investigation.”.

(2) **CONTENTS OF ORDER.**—Subsection (b)(1) of that section is amended—

(A) in subparagraph (A)—

(i) by inserting “or other facility” after “telephone line”; and

(ii) by inserting before the semicolon at the end “or applied”; and

(B) by striking subparagraph (C) and inserting the following new subparagraph (C):

“(C) a description of the communications to which the order applies, including the number or other identifier and, if known, the location of the telephone line or other facility to which the pen register or trap and trace device is to be attached or applied, and, in the case of an order authorizing installation and use of a trap and trace device under subsection (a)(2), the geographic limits of the order; and”.

(3) **Nondisclosure Requirements.**—subsection (d)(2) of that section is amended:

(A) by inserting “or other facility” after “the line”; and

(B) by striking “or who has been ordered by the court” and inserting “or applied or who is obligated by the order”.

(c) **EMERGENCY INSTALLATION.**—Section 3125(a)(1) of that title is amended—

(1) in subparagraph (A), by striking “or” at the end;

(2) in subparagraph (B), by striking the comma at the end and inserting a semicolon; and

(3) by inserting after subparagraph (B) the following new subparagraphs:

“(C) immediate threat to the national security interests of the United States;

“(D) immediate threat to public health or safety; or

“(E) an attack on the integrity or availability of a protected computer which attack would be an offense punishable under section 1030(c)(2)(C) of this title.”.

(d) **DEFINITIONS.**—

(1) **COURT OF COMPETENT JURISDICTION.**—Paragraph (2) of section 3127 of that title is amended by striking subparagraph (A) and inserting the following new subparagraph (A):

“(A) any district court of the United States (including a magistrate judge of such a court) or any United States Court of Appeals having jurisdiction over the offense being investigated; or”.

(2) **PEN REGISTER.**—Paragraph (3) of that section is amended—

(A) by striking “electronic or other impulses” and all that follows through “is attached” and inserting “dialing, routing, addressing, or signalling information transmitted by an instrument or facility from which a wire or electronic communication is transmitted”; and

(B) by inserting “or process” after “device” each place it appears.

(3) **TRAP AND TRACE DEVICE.**—Paragraph (4) of that section is amended—

(A) by inserting “or process” after “a device”; and

(B) by striking “of an instrument” and all that follows through the end and inserting “or other dialing, routing, addressing, and signalling information relevant to identifying the source of a wire or electronic communication;”.

**SA 1566.** Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . EMERGENCY PEN REGISTER AUTHORITY FOR U.S. ATTORNEYS.**

Section 3125(a) of title 18, United States Code, is amended—

(1) by striking “any investigative or law enforcement officer, specially designated by”; and

(2) by striking “or any Deputy Assistant Attorney General,” and inserting “any Deputy Assistant Attorney General, or any United States Attorney.”.

**SA 1567.** Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SECTION 1. AUTHORITY TO INTERCEPT WIRE, ORAL, AND ELECTRONIC COMMUNICATIONS RELATING TO THE COMPUTER FRAUD AND ABUSE.**

Section 2516(1)(c) of title 18, United States Code, is amended by striking “and section 1341 (relating to mail fraud),” and inserting “section 1341 (relating to mail fraud), a felony violation of section 1030 (relating to computer fraud and abuse).”.

**SA 1568.** Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice and State, the Judiciary, and related agencies for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes, which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

**SEC. . LAUNDERING THE PROCEEDS OF TERRORISM**

Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting “or 2339B” after “2339A”.

**SA 1569.** Mr. REID (for Mr. KERRY (for himself and Mr. BOND)) proposed an amendment to the bill S. 856, to reauthorize the Small Business Technology Transfer Program, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Small Business Technology Transfer Program Reauthorization Act of 2001”.

**SEC. 2. EXTENSION OF PROGRAM AND EXPENDITURE AMOUNTS.**

(a) **IN GENERAL.**—Section 9(n)(1) of the Small Business Act (15 U.S.C. 638(n)(1)) is amended to read as follows:

“(1) **REQUIRED EXPENDITURE AMOUNTS.**—

“(A) **IN GENERAL.**—With respect to each fiscal year through fiscal year 2009, each Federal agency that has an extramural budget for research, or research and development, in excess of \$1,000,000,000 for that fiscal year, shall expend with small business concerns not less than the percentage of that extramural budget specified in subparagraph (B), specifically in connection with STTR programs that meet the requirements of this section and any policy directives and regulations issued under this section.



“(B) EXPENDITURE AMOUNTS.—The percentage of the extramural budget required to be expended by an agency in accordance with subparagraph (A) shall be—

“(i) 0.15 percent for each fiscal year through fiscal year 2003; and

“(ii) 0.3 percent for fiscal year 2004 and each fiscal year thereafter.”.

(b) CONFORMING AMENDMENT.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended in subsections (b)(4) and (e)(6), by striking “pilot” each place it appears.

### SEC. 3. INCREASE IN AUTHORIZED PHASE II AWARDS.

(a) IN GENERAL.—Section 9(p)(2)(B)(ix) of the Small Business Act (15 U.S.C. 638(p)(2)(B)(ix)) is amended—

(1) by striking “\$500,000” and inserting “\$750,000”; and

(2) by inserting before the semicolon at the end the following: “, and shorter or longer periods of time to be approved at the discretion of the awarding agency where appropriate for a particular project”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective beginning in fiscal year 2004.

### SEC. 4. AGENCY OUTREACH.

Section 9(o) of the Small Business Act (15 U.S.C. 638(o)) is amended—

(1) in paragraph (12), by striking “and” at the end;

(2) in paragraph (13), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(14) implement an outreach program to research institutions and small business concerns for the purpose of enhancing its STTR program, in conjunction with any such outreach done for purposes of the SBIR program; and”.

### SEC. 5. POLICY DIRECTIVE MODIFICATIONS.

Section 9(p) of the Small Business Act (15 U.S.C. 638(p)) is amended by adding at the end the following:

“(3) MODIFICATIONS.—Not later than 120 days after the date of enactment of this paragraph, the Administrator shall modify the policy directive issued pursuant to this subsection to clarify that the rights provided for under paragraph (2)(B)(v) apply to all Federal funding awards under this section, including the first phase (as described in subsection (e)(6)(A)), the second phase (as described in subsection (e)(6)(B)), and the third phase (as described in subsection (e)(6)(C)).”.

### SEC. 6. STTR PROGRAM DATA COLLECTION.

(a) IN GENERAL.—Section 9(o) of the Small Business Act (15 U.S.C. 638(o)), as amended by this Act, is amended by adding at the end the following:

“(15) collect, and maintain in a common format in accordance with subsection (v), such information from awardees as is necessary to assess the STTR program, including information necessary to maintain the database described in subsection (k).”.

(b) DATABASE.—Section 9(k) of the Small Business Act (15 U.S.C. 638(k)) is amended—

(1) in paragraph (1)—

(A) by inserting “or STTR” after “SBIR” each place it appears;

(B) in subparagraph (C), by striking “and” at the end;

(C) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(E) with respect to assistance under the STTR program only—

“(i) whether the small business concern or the research institution initiated their collaboration on each assisted STTR project;

“(ii) whether the small business concern or the research institution originated any technology relating to the assisted STTR project;

“(iii) the length of time it took to negotiate any licensing agreement between the

small business concern and the research institution under each assisted STTR project; and

“(iv) how the proceeds from commercialization, marketing, or sale of technology resulting from each assisted STTR project were allocated (by percentage) between the small business concern and the research institution.”; and

(2) in paragraph (2)—

(A) by inserting “or an STTR program pursuant to subsection (n)(1)” after “(f)(1)”;;

(B) by striking “solely for SBIR” and inserting “exclusively for SBIR and STTR”;;

(C) in subparagraph (A)(iii), by inserting “and STTR” after “SBIR”; and

(D) in subparagraph (D), by inserting “or STTR” after “SBIR”.

(c) SIMPLIFIED REPORTING REQUIREMENTS.—Section 9(v) of the Small Business Act (15 U.S.C. 638(v)) is amended by inserting “or STTR” after “SBIR” each place it appears.

(d) REPORTS TO CONGRESS.—Section 9(b)(7) of the Small Business Act (15 U.S.C. 638(b)(7)) is amended by striking “and (o)(9),” and inserting “, (o)(9), and (o)(15), the number of proposals received from, and the number and total amount of awards to, HUBZone small business concerns under each of the SBIR and STTR programs.”.

### SEC. 7. STTR PROGRAM-WIDE MODEL AGREEMENT FOR INTELLECTUAL PROPERTY RIGHTS.

(a) DEVELOPMENT OF MODEL AGREEMENT.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

“(w) STTR MODEL AGREEMENT FOR INTELLECTUAL PROPERTY RIGHTS.—

“(1) IN GENERAL.—The Administrator shall promulgate regulations establishing a single model agreement for use in the STTR program that allocates between small business concerns and research institutions intellectual property rights and rights, if any, to carry out follow-on research, development, or commercialization.

“(2) OPPORTUNITY FOR COMMENT.—In promulgating regulations under paragraph (1), the Administrator shall provide to affected agencies, small business concerns, research institutions, and other interested parties the opportunity to submit written comments.”.

(b) ADOPTION OF MODEL AGREEMENT BY FEDERAL AGENCIES.—Section 9(o)(11) of the Small Business Act (15 U.S.C. 638(o)(11)) is amended by striking “develop a model agreement not later than July 31, 1993, to be approved by the Administration,” and inserting “adopt the agreement developed by the Administrator under subsection (w) as the agency’s model agreement”.

### SEC. 8. FAST PROGRAM ASSISTANCE TO WOMEN-OWNED AND MINORITY-OWNED SMALL BUSINESS CONCERNS AND CONCERNS LOCATED IN AREAS NOT PARTICIPATING IN SBIR AND STTR.

(a) SELECTION CONSIDERATION.—Section 34(c)(2)(B) of the Small Business Act (15 U.S.C. 657d(c)(2)(B)) is amended—

(1) in clause (iv), by striking “and” at the end;

(2) in clause (v), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new clause:

“(vi) whether the proposal addresses the needs of small business concerns—

“(I) owned and controlled by women;

“(II) owned and controlled by minorities; and

“(III) located in areas that have historically not participated in the SBIR and STTR programs.”.

(b) REGULATIONS.—Section 34(c)(4) of the Small Business Act (15 U.S.C. 657d(c)(4)) is amended by adding at the end the following: “The Administrator shall promulgate regu-

lations establishing standards for the consideration of proposals under paragraph (2), including standards regarding each of the considerations identified in paragraph (2)(B).”.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ARMED SERVICES

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, September 13, 2001, at 2:30 p.m., in open session to consider the nomination of General Richard B. Myers, USAF, for reappointment in the grade of general and for appointment as the Chairman of the Joint Chiefs of Staff.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, September 13, 2001, at 9:00 am on Corporate Average Fuel Economy (CAFE).

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FINANCE

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, September 13, 2001 at 10:00 am to hear testimony on “Medicaid Upper Payment Limits: Restoring the State-Federal Partnership.”

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FOREIGN RELATIONS

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, September 13, 2001 at 11 a.m. to hold a nomination hearing.

Nominee: John D. Negroponte, of the District of Columbia, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Representative of the United States of America in the Security Council of the United Nations.

To be introduced by: The Honorable TED STEVENS, United States Senate, Washington, DC; the Honorable JOHN MCCAIN, United States Senate, Washington, DC; and the Honorable Richard Holbrooke Counselor, Council on Foreign Relations, New York, NY.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FOREIGN RELATIONS

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, September 13, 2001 at 5:00 p.m. to hold a nomination hearing.